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Examiner M. Ceperley – Art Unit 1641 Commissioner for Patents Alexandria, VA 22313-1450	(571) 272-0813	(703) 872-9306

From : Wesley B. Ames**Date :** September 7, 2004**Client/Matter No :** 063391-0202**User ID No :** 0188**MESSAGE:****OFFICIAL****Re:** Application Serial No. 10/049,164**Following are:**

Amendment Transmittal/Petition for Extension of Time (3 pgs.-in dupl. = 6 pgs.);
Response to Restriction Requirement and Preliminary Amendment (12 pgs.).

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NO 3726 P. 2

SEP 07 2004

Atty. Dkt. No. 063391-0202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Matthew Patricelli
Title: ACTIVITY BASED PROBE ANALYSIS
Appl. No.: 10/049,164
Filing Date: 10/21/2002
Examiner: M. Ceperley
Art Unit: 1641

<p>CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p>Joy Day (Printed Name)</p> <p><i>Joy Day</i> (Signature)</p> <p>September 7, 2004 (Date of Deposit)</p>

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Applicant claims Small Entity status under 37 C.F.R. § 1.27.

[] Assertion of Small Entity status is enclosed.

[X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	36	-	36	=	0	x	\$18.00	=	\$0.00
Independent Claims:	5	-	5	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$290.00	=	\$0.00
0							CLAIMS FEE TOTAL	=	\$0.00

Atty. Dkt. No. 063391-0202

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$110.00	1	\$110.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	0	\$0.00
EXTENSION FEE TOTAL:			\$110.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	0	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:			\$110.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$55.00
TOTAL FEE:			\$55.00

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$55.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$_____ is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

SEP. 7. 2004 5:18PM

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NO. 3726 P. 4

Atty. Dkt. No. 063391-0202

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: September 7, 2004

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6714
Facsimile: (858) 792-6773

By



Wesley B. Ames
Attorney for Applicant
Registration No. 40,893

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